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December 20, 2024

VIA CM/ECF

The Honorable Sarah Netburn
United States District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: Forrest v. Trustees of Columbia University in the City of New York, No. 24 Civ.
1034 (MMG) (SN)

Dear Judge Netburn:

We write on behalf of Plaintiff Mackenzie Forrest (“Plaintiff”) in accordance with Rule III.F of Your Honor’s Individual Practices in Civil Cases to respectfully request that the Court temporarily seal Plaintiff’s response and associated papers to Columbia’s motion to enforce, ECF 49. Columbia previously requested that Columbia’s motion, Plaintiff’s response, and Columbia’s reply be temporarily sealed. ECF 48. The Court granted this request. ECF 61.

Plaintiff concurs with Columbia’s previously stated reasons for sealing all papers on this motion. *See* ECF 48. The Second Circuit “has repeatedly affirmed the importance of settlement confidentiality in light of the public interest in promoting settlement.” *In re Gen. Motors LLC Ignition Switch Litig.*, 2016 WL 1317975, at *2 (S.D.N.Y. Mar. 2, 2016); *Gambale v. Deutsche Bank AG*, 377 F.3d 133, 143 (2d Cir. 2004); *United States v. Glens Falls Newspapers, Inc.*, 160 F.3d 853, 856–58 (2d Cir. 1998). Any interest the public may hold in access to these motion papers is outweighed by the risk that publicizing settlement communications may “impair materially the trial court’s performance of its Article III function of crafting a settlement” by chilling settlement talks in this case. *Glen Falls*, 160 F.3d at 858. For this reason, the motion papers here, including Plaintiff’s response, should be sealed.

We appreciate the Court’s consideration of this matter.

Respectfully submitted,

/s/ Debra Bogo-Ernst

Debra Bogo-Ernst

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 20th day of December, 2024, she caused a copy of Plaintiff Mackenzie Forrest's letter motion to seal to be served upon Defendant Melissa Begg via email, and all other Defendants through the Electronic Case File System of the Southern District of New York. Defendant Melissa Begg consented through counsel to service by email at the following address:

Roberta Kaplan
Kaplan Martin LLP
RKaplan@kaplanmartin.com

DATED: December 20, 2024

Respectfully submitted,

/s/ Debra Bogo-Ernst

Debra Bogo-Ernst